IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4213 OF 2007

Shri.Balasaheb Kacharu Avhad. ...Petitioner.

vs.

1.Krantiveer Vasantrao
Narayanrao & others. ...Respondents.

Mr.G.S.Godbole, for Petitioner.

CORAM: D.K.DESHMUKH &

DATED: 9th July,2007.

P.C.:-

1. According to the petitioner, the petitioner was in service of the college. According to the College, he has submitted

resignation of his post. According to the petitioner, he did not resign and therefore, he approached the Industrial Court. It appears that the petitioner had filed a petition in the Industrial Court claiming suspension allowance. In the meanwhile, he was informed that, he has resigned from the post. Instead of going to the Industrial Court and amending his application he filed an appeal before the College Tribunal. There was delay in filing the appeal, and therefore, an application for condonation of delay was filed. The learned College Tribunal has observed that there is no acceptable reasons given in the application for condonation of delay for condoning delay. I do not find any patent illegality in the order. The petition is disposed of.

2. However, as I find that the application for condonation of delay was filed by the petitioner in confused state of mind, therefore,

if after abandoning his proceedings in the Industrial Court, the petitioner approaches the College tribunal with a fresh application for condonation of delay, the College Tribunal shall consider the application on its own merit without being influenced by the order passed by this Court in this writ petition.

(D.K.DESHMUKH, J.)